

United States Bankruptcy Court
Middle District of Florida

In re:
Lilly Josephine Real
Debtor

Case No. 16-03913-JAF
Chapter 7

CERTIFICATE OF NOTICE

District/off: 113A-3

User: pccathy
Form ID: pdfdoc

Page 1 of 1
Total Noticed: 2

Date Rcvd: May 15, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 17, 2018.

db +Lilly Josephine Real, 3550 NW 83rd Avenue, #709, Doral, FL 33122-1147
cr +Frank Polo, 1475 SW 8th St, Apt 411, Miami, FL 33135-3891

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 17, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 15, 2018 at the address(es) listed below:

Alexander G. Smith alex@agsmithtrustee.com, FL52@ecfcbis.com
Collette B Cunningham on behalf of Defendant United States Of America
Collette.Cunningham@usdoj.gov,
dajana.mihaljevic@usdoj.gov;Chantal.sabino@usdoj.gov;Brittany.Robinson2@usdoj.gov
Edward P Jackson on behalf of Plaintiff Lilly Josephine Real edward@edwardpjackson.com,
traci@edwardpjackson.com,linda@edwardpjackson.com,jacksonpacer@gmail.com,
christina@edwardpjackson.com;p.er70969@notify.bestcase.com
Edward P Jackson on behalf of Debtor Lilly Josephine Real edward@edwardpjackson.com,
traci@edwardpjackson.com,linda@edwardpjackson.com,jacksonpacer@gmail.com,
christina@edwardpjackson.com;p.er70969@notify.bestcase.com
United States Trustee - JAX 13/7 USTP.Region21.OR.ECF@usdoj.gov

TOTAL: 5

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

VIA MAIL
FILED
JACKSONVILLE, FLORIDA

MAY 11 2018

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

FRANK E. POLO SR., Appellant : **NOTICE OF APPEAL**
v. :
: Case No.:16-03913(JAF)
LILLY JOSEPHINE REAL., Appellee :

Wednesday, May 9, 2018

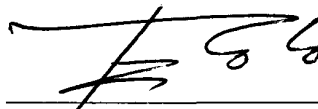
CREDITOR'S, FRANK E. POLO, NOTICE OF APPEAL

Notice is hereby given that FRANK E. POLO hereby appeal to the United States District Court Southern District of Florida from the *ORDER DENYING MOTION TO DISMISS, GRANTING MOTION FOR SANCTIONS, AWARDING ATTORNEY'S FEES, AND ENJOINING FRANK POLO FROM ANY FURTHER ATTEMPT TO COLLECT ALLEGED PRE-PETITION DEBT FROM DEBTOR* entered in this action on APRIL 26, 2018.¹

Should this Court be unable to transfer to the United States District Court of Florida, then, the Appellant respectfully requests this appeal to be transfer to the appropriate United States District Court.

Respectfully Submitted,

FRANK E. POLO SR.

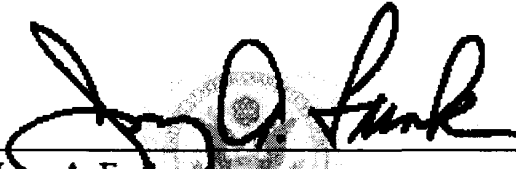


9619 Fontainebleau Blvd. Apt 317
Miami, FL. 33172
Phone: 305-901-3360

¹ According to *Notice of Debtors Change of Address*, filed on March 08, 2018, debtor resides now in Miami-Dade County at 3550 NW 83rd Avenue, #709, Doral, Florida 33122. Dade county is the county where the majority of the acts giving rise to this appeal took place, all parties currently reside in Miami Dade County and Justice would be better serve by moving the appeal to the 11

ORDERED.

Dated: April 26, 2018



Jerry A. Frank
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Case No. 3:16-bk-3913-JAF

Chapter 7

LILLY J. REAL,

Debtor.
_____ /

**ORDER DENYING MOTION TO DISMISS, GRANTING MOTION FOR SANCTIONS,
AWARDING ATTORNEY'S FEES, AND ENJOINING FRANK POLO FROM ANY
FURTHER ATTEMPT TO COLLECT ALLEGED PRE-PETITION DEBT FROM
DEBTOR**

This case came before the Court upon the Motion for Sanctions against Creditor, Frank Polo filed by the Debtor (the "Motion for Sanctions") (Doc. 12) and Motion to Dismiss of Frank E. Polo for Lack of Personal Jurisdiction, Improper Venue, and Motion to Quash for Defective Service of Process on [the Motion for Sanctions] and for Violation of Due Process (the "Motion to Dismiss") (Doc. 14). Upon Findings of Fact and Conclusions of Law separately entered, it is

ORDERED:

1. The Motion to Dismiss filed by Frank Polo is denied.

2. The Motion for Sanctions filed by the Debtor is granted.
3. The Court imposes sanctions against Frank Polo in the amount of \$4,935.00.
4. Mr. Polo shall pay \$4,935.00 to Edward Jackson within 60 days of the date of this Order, failing which the Court, upon affidavit and Motion of Mr. Jackson, will enter a judgment in Mr. Jackson's favor. Such judgment shall be enforced through the state courts.
5. The Debtor's discharge entered on February 15, 2017 bars Mr. Polo from taking any further action to collect any alleged pre-petition debt owed to him by the Debtor.

The Clerk's Office will serve a copy of this Order on Interested Parties.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

Lilly Josephine Real,

Case No.: 16-03913-JAF

Debtors.
_____ /

NOTICE OF DEBTOR'S CHANGE OF ADDRESS

YOU WILL PLEASE TAKE NOTICE that Debtor, **Lilly Josephine Real**, has
changed her address as follows:

Old Address

Lilly Josephine Real
10023 Belle Rive Blvd. Apt 1303
Jacksonville, FL 32256

New Address

Lilly Josephine Real
3550 NW 83rd Avenue, #709
Doral, Florida 33122

I HEREBY CERTIFY that a true and correct copy of the foregoing has been
furnished either electronically or via regular U.S. mail to Douglas W. Neway, Trustee
P.O. Box 4308 Jacksonville, FL 32201, this 8th day of March 2018.

Respectfully Submitted,

/s/ Edward P. Jackson
EDWARD P. JACKSON
Attorney for Debtor
255 N. Liberty Street, First Floor
Jacksonville, FL 32202
(904) 358-1952 VOICE
(904) 358-1288 FAX
Florida Bar #286648

FILED VIA MAIL
JACKSONVILLE, FLORIDAUNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

MAY 11 2018

APPEAL COVER SHEET

CLERK, U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

Appellant	Appellee
FRANK E. POLO	LILLI JOSEPHINE REAL
Bankruptcy Case No. <u>16-03913</u>	Adversary Case No. _____
Attorney: (Name, Address and Telephone Number)	Attorney: (Name, Address and Telephone Number)
Pro Se. Frank E. Polo 9619 Fontainedbleaud Blvd Apt 317 Miami, FL. 33172	EDWARD P. JACKSON 255 N. Liberty Street Jacksonville, Florida 32202 (904) 358-1952

NATURE OF PROCEEDING

Check appropriate item

☒ Appeal pursuant to 28 USC §158

Notice of Appeal filed:

Attached and Mail on May 9, 2018

Date of Order Appealed:

April 26, 2018

Title of Order Appealed:

ORDER DENYING MOT TO DISMISS, GRANTING MOT FOR SANCTIONS, AWARDED ATTORNEY'S FEES, AND ENJOINING FRANK POLO FROM ANY FURTHER ATTEMPT TO COLLECT

Debtor's County of Residence:

Miami-Dade

☐ Motion to Withdraw Reference

Filed: _____

By: _____

☐ Interlocutory Appeal

Title of Interlocutory Order or Decree: _____

Date of Order or Decree: _____

Brief Description of Matter Appealed: _____

☐ Motion for Leave to Appeal

Date Filed: _____

☐ Other _____☐ Designation in Appeal

Have arrangements been made with a Court Reporter for Transcript?

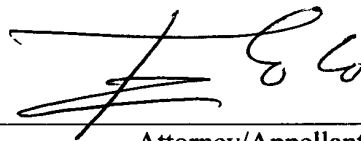
☐ Yes☒ No

If not, do you intend to do so?

☒ Yes☐ No

If ordered, on what date?

May 14, 2012



Attorney/Appellant